

EXHIBIT A

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 18-M- 176

Elizabeth Harrison

Defendant



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

COUNT 1

On or about the date of November 2, 2018, in the Western District of New York, the defendant, Elizabeth Harrison, did willfully and knowingly make a materially false, fictitious, and fraudulent statement and representation in a matter within the jurisdiction of the executive branch of the Government of the United States, by stating to agents of the Federal Bureau of Investigation in sum and substance that her name was not Elizabeth Harrison. The statements and representations were false because, as Elizabeth Harrison then and there knew, her name is Elizabeth Harrison.

All in violation of Title 18, United States Code, Section 1001(a)(2).

COUNT 2

Between on or about October 23, 2018, and continuing until on or about November 2, 2018, in the Western District of New York, the defendant, Elizabeth Harrison, with the intent to harass, intimidate, or place under surveillance with intent to harass, or intimidate another person, did use an electronic communication system of interstate commerce and any other facility of interstate or foreign commerce, namely the internet and cellular telephone to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to a person, Victim A.

All in violation of Title 18, United States Code, Section 2261A(2).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.



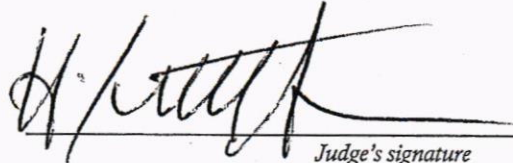
Complainant's signature

ERIC W. SAKOVICS
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Printed name and title

Sworn to before me and signed in my presence.

Date: November 2, 2018



Judge's signature

City and State: Buffalo, New York

HONORABLE H. KENNETH SCHROEDER, JR.
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

ERIC W. SAKOVICS, being duly sworn, deposes and states:

1. I am a Special Agent with the Federal Bureau of Investigation. I have been FBI Special Agent (SA) since February 2009. During the course of my duties, I have participated in investigations involving gang activity, drug trafficking, bank robbery, firearms, and cases involving threatening communications.

2. The statements contained in this affidavit are based upon the facts set forth below and are based upon your Affiant's personal observations, conversations with Assistant United States Attorneys, including Victim A, and information provided to your Affiant by other law enforcement officials and witnesses.

3. This affidavit is submitted in support of a Criminal Complaint charging **Elizabeth Harrison** with making false statements in violation of Title 18, United States Code, 1001(a)(2) and cyberstalking in violation of Title 18, United States Code, Section 2261A(2).

4. Victim A is an Assistant United States Attorney presently employed in the United States Attorney's Office for the Western District of New York.

5. Approximately two and one-half years ago, Victim A was employed as an Assistant District Attorney in the Erie County District Attorney's Office.

6. Approximately seven and one-half years ago, Victim A prosecuted a case wherein a male individual, A.R., was convicted at trial and was sentenced to 25 years imprisonment.

7. In late 2017, and continuing to early 2018, Victim A, who by this point was an Assistant United States Attorney, was a part of a prosecution team that again prosecuted the same male individual reference above, A.R., and others for crimes that included murder under federal law. Upon the conclusion of the trial, A.R. was acquitted with another individual while two others had a hung jury with respect to the murder-related charges.

8. Back when Victim A prosecuted A.R. in Erie County Court, it was known to Victim A that A.R. had a girlfriend who made it known she did not like Victim A. That girlfriend, now known as **Elizabeth Harrison**, called Victim A the "white devil."

9. On or about October 22, 2018, Victim A received an inbox message to his/her LinkedIn account from a person purporting to be "Renate Green". In subsequent communications **Elizabeth Harrison** referenced this LinkedIn message to Victim A.

10. Between October 23, 2018, and November 1, 2018, **Elizabeth Harrison**, while masking her true identity, made several telephone calls and text messages to Victim A on his personal phone number. Victim A's personal phone number is not listed in the Erie County Bar Association's Directory of Attorneys and the Courts, nor is it listed on his LinkedIn account. Upon questioning by federal agents on November 2, 2018, and being asked how she

obtained Victim A's personal phone number, **Elizabeth Harrison** stated in sum and substance that she looked up Victim A's phone number on Spokeo, which is an internet people search engine that organizes white page listings, public records, and social network information into profiles to learn about people..

11. During several of the phone calls from **Elizabeth Harrison** to Victim A, there was no caller identification. Other calls where a number did show up were a voice-over internet protocol (VOIP), which enables an individual to make voice calls using a broadband internet connection instead of a regular phone line. In my experience, VOIP also is sometimes used by individuals as a means of attempting to mask the identity of the caller.

12. On October 23, 2018, at 1:06 p.m., a female caller called Victim A's phone, but would not identify herself.

13. On October 23, 2018, at 1:18 p.m., Victim A's phone received a text message from 716-514-XXXX, a VOIP number, and in pertinent part stated "sorry to harass" you "no need to invest," which I believe means no need to investigate. There was also a Facebook friend request from uch.sweet.311 that same date at 2:30 p.m.

14. There were missed calls on October 25 (no caller ID), and October 29 (from the same 514 VOIP number).

15. On October 30, at 2:50 p.m., Victim A received a phone call, which he/she placed on speaker phone in the presence of other law enforcement officials. In this call, the person now known as **Elizabeth Harrison** identified herself as "Renata" and advised Victim

A about the October 22, 2018, LinkedIn message referenced above. In the message, she indicated she wanted to "collaborate."

16. On November 1, at 12:26 p.m., Victim A received a phone call from the same 514 VOIP number, which he/she placed on speaker phone in the presence of other law enforcement officials. In this call, the person now known as **Elizabeth Harrison** wanted to know why Victim A had not responded to other messages. During the call **Elizabeth Harrison** asked if she was breaking the law. When asked how she obtained Victim A's personal phone number, her response was evasive and indicated online and/or through a FOIL request. I know that an AUSA's personal phone number is not information that would be produced through a FOIL request and therefore, these circumstances indicate **Elizabeth Harrison** was researching the personal information of Victim A.

17. On November 1, at 2:10 p.m., Victim A received another text message from the same VOIP number. By this point in time, **Elizabeth Harrison's** true identity was unknown. In this text message, and in some of the other communications, **Elizabeth Harrison** made several inappropriate sexual overtures indicating she wanted to meet up with Victim A to relieve stress from the last seven and one-half years.

18. Victim A had indicated to the person now known as **Elizabeth Harrison** that the communications were inappropriate. Eventually, during the evening of November 1, 2018, Victim A decided to engage this then unknown female in an effort to identify her. At one point, Victim A texted in response, "Why 7 1/2 years, I don't get it?" The person now known as **Elizabeth Harrison** responded:

well that's (sic) how long its been since ive been touched by a man thanks 2 U taken the only one I felt safe enough (sic) to freak off wit so there do U get it now? Can't bieve (sic)I had put U on such a high pedestal about Ur intelligence 2 da (sic) pointwhere I assumed U would have been caught on n solved da puzzle all da pieces are right there in plain view genius.

Victim A was able to get the person now known as **Elizabeth Harrison** to send him a picture and to make additional comments that helped law enforcement to identify her and link her to A.R.. Your affiant believes the reference to 7 ½ years is a reference to the timeline in which Victim A prosecuted and convicted A.R.

19. In another text later that night, **Elizabeth Harrison** stated in part: "u locked him up and subpoenaed (sic) me 2 testify against him remember?" "7 yrs, 6 months n 15 days of loneliness but somehow I've come to admire you."

20. Following the above text exchange, the person now known as **Elizabeth Harrison** called Victim A on his/her personal phone, and Victim A recorded the call on his/her work phone. During the call, Victim A advised **Elizabeth Harrison** that the communications were inappropriate.

21. Following the above recorded call and text messages, Victim A responded "Don't contact me again." **Elizabeth Harrison** then continued to write explicit text messages, to which Victim A responded, "Do not contact me. This is harassment and against the law."

22. On November 2, 2018, the person now known as **Elizabeth Harrison** texted Victim A a series of emojis from the same VOIP number.

23. On November 2, 2018, two Special Agents from the FBI and a Deputy from the United States Marshal Service (USMS) went to 40 Northland Avenue, Buffalo, New York to interview **Elizabeth Harrison**. **Elizabeth Harrison** was being interviewed because of the above-described disturbing phone, internet, and text messages that came from VOIP number 716-514-XXXX to a Victim A. The text messages were in relation to an ongoing Federal investigation.

24. When the FBI and USMS arrived at 40 Northland Avenue, law enforcement observed a burgundy Scion, New York plate JAS 5980 sitting in the driveway. After running the plate, law enforcement knocked on the door for a few minutes before an unknown female cracked the door making contact with law enforcement. The USMS asked to speak with **Elizabeth Harrison** and the unknown female stated that **Elizabeth Harrison** was not at the house. In other words, this female who answered the door denied being **Elizabeth Harrison** when, in truth and in fact, she was **Elizabeth Harrison**. During the conversation, **Elizabeth Harrison**, who was then lying about her identity, stated that **Elizabeth Harrison** was at 375 Cleveland in Buffalo and provided a telephone number of 915-694-7472 as the number belonging to **Elizabeth Harrison**.

25. This female, now known as **Elizabeth Harrison**, stated that Elizabeth Harrison does not live at that residence. The Deputy asked this female, now known as **Elizabeth Harrison**, and she agreed and made a phone call. During this call she spoke to someone saying that the police were looking for "Liz". Purporting to be unable to ascertain **Elizabeth Harrison's** location, the call was terminated. The Deputy from the USMS then showed the unknown female who peeked around the door his credentials and stated that he was law

enforcement, to which this female said that she believed he was the Police. The unknown female was described as wearing large sunglasses and had yellow short cut hair. The Deputy asked this female, now known to be **Elizabeth Harrison**, her name to which she responded, "Deborah". The door was then closed and agents went back to their vehicle.

26. The USMS and FBI then contacted 915-694-7472, which was the number provided as set forth above, and the woman who answered the phone identified herself as Renate. When law enforcement asked to speak with **Elizabeth Harrison**, Renate stated that the number did not belong to **Elizabeth Harrison** and that Harrison's number was 716-526-7183. Renate also stated that **Elizabeth Harrison** lived on Northland and drives a burgundy box looking car.

27. At this time, law enforcement observed the lights of NY JAS 5980 going on and blocked the driveway with their vehicle. The same female who previously denied being **Elizabeth Harrison** was sitting in the driver seat. Your affiant approached the driver and showed his FBI credentials and asked for identification. The female stated she did not have identification. Your affiant stated there was a problem with her getting behind the wheel of a vehicle without her license. Your affiant also smelled an odor that in your affiant's experience is consistent with marijuana. Your affiant asked multiple times for identification to which the female, who previously falsely identified herself as Deborah Harrison, continued to state she did not have identification. Your affiant asked to speak with **Elizabeth Harrison**, to which the female stated that she was **Elizabeth Harrison**. At that point, your affiant then asked, "You're **Elizabeth Harrison**?" to which she responded, "Yes."

28. Your affiant then stated that there were many issues at this point because she was behind the wheel of a vehicle without a license and the smell of marijuana was noticed by law enforcement and she lied to law enforcement. Law enforcement asked to speak with **Elizabeth Harrison** in her home, to which she stated she wanted to talk in the vehicle that law enforcement arrived in.

29. The USMS and FBI then went to the vehicle along with **Elizabeth Harrison** and sat inside. Law enforcement again asked for identification to which **Elizabeth Harrison** stated she did not have any. Law enforcement asked for a credit card or anything that could identify her. **Elizabeth Harrison** then pulled out a photo ID from ECMC that stated "**Elizabeth Harrison**". The photo ID was observed by law enforcement and the name and photo matched the person who previously identified herself as "Deborah".

30. During the conversation with federal agents, including the undersigned, she admitted, in sum and substance, that she was the person who came up with the idea to contact Victim A. She further indicated that she did this with another female and that they did it because they wanted to help on the federal case in which A.R. had been prosecuted with others, as referenced above.

WHEREFORE, for the foregoing reasons, I request a criminal complaint charging **Elizabeth Harrison** with making false statements in violation of Title 18, United States Code, 1001(a)(2), and cyberstalking in violation of Title 18, United States Code, Section 2261A(2).



ERIC W. SAKOVICS
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me

this 2nd day of November, 2018



HONORABLE H. KENNETH SCHROEDER, JR.
United States Magistrate Judge